

1920-018 Chancery Causes: Richard J. Edwards vs Mollie Drew Edwards

352

Isle of Wight County

other SURNAMES: Drew, Vives,
Hall, Benton

RICHARD J. EDWARDS
.....COMPLAINANT.

vs. BILL

MOLLIE DREW EDWARDS
.....DEFENDANT.

*13th Sept Rules 1920
Process returned ex. cited
Duesse nisi*

*14th Oct Rules 1920
Defendant not ap-
pearing. Cause set
down for hearing*

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

and that she would never return to him; she repeated this statement again shortly before leaving; that your complainant and the said Mollie Drew Edwards have not lived together as husband and wife since that day; that she took her own furniture and also your complainant's furniture and moved to another house, telling your complainant that she would not live with him any more; and,

(4) - That the said defendant, Mollie Drew Edwards has resided and has been domiciled in this state ever since the aforesaid marriage, and for more than one year next preceding the commencement of this suit, and is domiciled and now resides in this state; that your complainant last cohabited with the said Mollie Drew Edwards near Windsor in the County of Isle of Wight, Virginia;

In consideration whereof, and forasmuch as your complainant is remediless in the premises save in a court of equity, your complainant prays that the said Mollie Drew Edwards may be made a party defendant to this bill, and required, but not on oath, to answer the same, the oath being hereby waived; that proper process may be issued; that a divorce from the bond of matrimony which was created by the aforesaid marriage be decreed him; and that your complainant may have all such further, and other, and general relief in the premises as the nature of his case may require, or to equity shall seem meet.

Richard J. Edwards
by Counsel
COMPLAINANT.

Wm. G. Holland
COUNSEL.

RICHARD J. EDWARDS.....COMPLAINANT.

vs. BILL

MOLLIE DREW EDWARDS.....DEFENDANT.

To the Honorable Circuit Court of Isle of Wight
County:

Your complainant, Richard J. Edwards, respectfully
represents:

(1) - That on the 16th day of December, 1915,
your complainant, R ichard J. Edwards, was lawfully mar-
ried near Windsor in the County of Isle of Wight, Virginia,
to Mollie Drew Edwards, whose maiden name was Mollie Drew,
as will appear from a certificate of marriage herewith
filed, marked "EXHIBIT-A", and made a part of this bill; and,

(2) - That continuously from the date of said
marriage until the _____ day of May, 1917, your com-
plainant and the said Mollie Drew Edwards lived together
as husband and wife near Windsor, in the County of Isle of
Wight, Virginia; and,

(3) - That the said Mollie Drew Edwards has wil-
fully deserted and abandoned your complainant for a period
of more than three years: that is to say, on the _____
day of May, 1917, the said Mollie Drew Edwards did, volun-
tarily, wilfully and without any justification whatever
leave her home; that for sometime before leaving she stated
to your complainant that she was going to leave him forever

RICHARD J. EDWARDS

vs) Chancery. No. 352.

MOLLIE DREW EDWARDS.

Subpoena.

I executed the within ^{summons} ~~subpoena~~ on the 13 day of
Sept 1920 by deposing a true
copy of the same on M. D. Edwards in person
in the County of Isle of Wight.

R. A. Edwards
Sheriff of Isle of Wight Co.

Returned filed
Septem 20. 1920
Dist. Johnson Clerk

COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF THE COUNTY OF ISLE OF WIGHT:

We command you that you summon Mollie Drew Edwards to appear at the Clerk's Office of the Circuit Court for our County of Isle of Wight, at the Rules to be holden therefor on the Third Monday in September, 1920, to answer a bill in chancery filed against her by R. J. Edwards, and have then and there this writ, and make known how you have executed the same.

Witness, A. S. Johnson, Clerk of said Court, at the Courthouse of said County, this 1st. day of September, 1920.

A. S. Johnson Clerk.

Hugh. L. Holland. p.g.

RICHARD J. EDWARDS...
COMPLAINANT

vs. Notice of taking deposition
s

MOLLIE DREW EDWARDS.....

DEFENDANT.

"ORIGINAL".

Not finding Mollie Drew Edwards at her usual place
of abode nor any member of the family of the said
Mollie Drew Edwards over the age of sixteen years,
I executed this return sworn by putting a true copy of same
on the front door of the residence of the said Mollie Drew
Edwards in the County of Wight on the 9
day of Nov. 1920

H. H. Chapman
By _____ D. C.

TO MOLLIE DREW EDWARDS:

Take notice that on Wednesday, the 17th day of November, 1920, at the office of Hugh L. Holland, in the American Bank & Trust Company building, in the City of Suffolk, Virginia, between the hours of 10 A. M. and 5 P. M. of that day, I shall proceed to take the depositions of Joe Henry Vines and others to be read as evidence in my behalf, in a certain suit in equity, depending in the circuit court of Isle of Wight County, wherein I am complainant, and you are defendant; and if from any cause the taking of said depositions be not commenced, or if commenced, be not concluded, on that day, the taking thereof will be adjourned from time to time, at the same place and between the same hours, until the same shall be completed.

Given under my hand this 3rd day of November, 1920.

Richard J. Edwards
by Hugh L. Holland
his atty

Richard J. Edwards
vs. Depositary
Mellie Drew Edwards

HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

STATE OF VIRGINIA, CITY OF SUFFOLK,.....TO-WIT:

I, William S. Holland, a Notary Public, in and for the City of Suffolk, State of Virginia, do certify that the foregoing depositions of Joe Henry Vines, Barney Hall and Richard J. Edwards were duly taken, sworn to and subscribed before me at the office of Hugh L. Holland, in the City of Suffolk, State of Virginia, on the 17th day of November, 1920, between the hours of 10 A. M. and 5 P. M. of that day to be read as evidence on behalf of the plaintiff in a certain suit in equity depending in the circuit court of Isle of Wight County, Virginia, wherein Richard J. Edwards is complainant and Mollie Drew Edwards is defendant.

Given under my hand this 17th day of November, 1920.

William S. Holland
Notary Public in and for the City of
Suffolk, State of Virginia.

My commission expires on the 16th day of April 1921.

Q. What was her conversation shortly before leaving.

A. Well, her conversation shortly before leaving was what I have just told you and also that she was going to move and leave and that this was the last time she was going away and that she was not coming back to me any more. I tried to prevail with her to stay at home and live with me like she should ought to and behave herself but she seemed to have made up her mind to move away so she could be by herself and do as she wanted with the man she was going with.

Q. Where does Mollie Drew Edwards live now.

A. She lives on Sugar Hill, near Windsor, in Isle of Wight County, Virginia, and has lived there ever since she left me in May, 1917.

Q. Have you and she lived together as husband and wife since she left you in May, 1917.

A. No, sir.

Q. Did you have any conversation with her shortly after she left.

A. Yes, sir, I went to see her and tried to get her to come back again but she would not do so and told me that she had left for good and would never live with me again.

And further this deponent saith not.

Richard J. Edwards

Richard J. Edwards being duly sworn deposes as follows:

Q. Please state your name, age, residence and occupation.

A. Richard J. Edwards, age 51, residence Central State Hospital, Petersburg, Virginia, occupation attendant at hospital.

Q. Are you the complainant in this suit.

A. Yes, sir.

Q. Please state whether you and your wife, Mollie Drew Edwards are living together now.

A. No, sir, we are not.

Q. Which one left the other and when.

A. She left me in May, 1917.

Q. Please state the circumstances of her leaving and whether you gave her any cause to leave.

A. I did not give her any cause to leave me whatever, I supported her and took care of her and give her everything she asked for, furnished her with a home and supported her out of my wages. For three months before she left she was going with a man by the name of Tom Benton, he pretended at first that he was coming there for washing to have washing done for his wife and he helped her to move her trunk in April, one Sunday night, 1917, to his house and she stayed there three days and nights, then about two weeks after that she went down there again and stayed two days and nights, I tried each time to get her to come back and stay there at her home and behave herself and stop going with this man but she continued to go with him and finally the first of May, 1917, she left me entirely and moved away and took all her things, furniture and most everything in the house. She was still at that time going with this same man, Tom Benton.

Q. Did she give you any reason for leaving.

A. No reason at all except that she said that she was tired of staying with me, and was going to move and go up there on Sugar Hill where she could have a good time and pleasure.

Q. Did you have any talk with her shortly after she left.

A. Yes, sir, she told me that she was better satisfied living to herself that nobody had anything to do with her now and that she could do as she wanted to. About a month after she left she told me her husband, Richard Edwards had been to see her and wanted her to come back but that she was not going back and was not going to live with him any more.

Q. When this man, Tom Benton that you have mentioned came to see her at night how long would he stay.

A. He would come most any night and would come about 7 or 8 o'clock and would generally stay from one to two hours and then leave that was going on regular just after she left and they kept it up for sometime until Benton moved away from there maybe two or three months, I don't remember the exact length of time.

And further this deponent saith not. *his*

Witness:

W. C. Beale
Wm. S. Holland

Barney X Shel
mark

she left, she also told me that she was tired of living with Richard Edwards and wanted to come up on Sugar Hill to herself so she could do as she wanted.

Q. Have they lived together as husband and wife since she left him in May, 1917.

A. No, sir, they have not.

Q. Would you have known of any cause that he gave her to leave.

A. Yes, sir, I think that I would 'cause I lived near them and saw them often.

Q. Was he cruel to her or did he mistreat her in any way.

A. No, sir, he did not, he was always good and kind to her and give her what she wanted.

Q. What was her conduct after she left and moved to herself on Sugar Hill.

A. This same man, Tom Benton went to her house at night several times in the week and also on Sunday, the only reason I saw for her leaving was to be in a place where she could have what company she wanted.

Q. Have you ever seen any wrong conduct on the part of Richard J. Edwards.

A. No, sir, I have not, he is a good Christian man and I have not seen anything wrong of him at any time either before his wife left him or since.

Q. Where does Mollie Drew Edwards live now and how long has she lived there.

A. She lives on Sugar Hill, near Windsor, Virginia, Isle of Wight County, and she have lived there ever since she left her husband in May, 1917.

Q. Where were they living when she left him in May, 1917.

A. They were living near Windsor, in Isle of Wight County, Virginia, on the Norfolk & Western Railroad and on the county road leading from Windsor to Zuni.

Barney Hall being duly sworn deposes as follows:

Q. Please state your name, age, residence and occupation.

A. Barney Hall, age 72, residence Sugar Hill, near Windsor, Isle of Wight County, Virginia, occupation, public work.

Q. Please state whether you know Richard Edwards and Mollie Drew Edwards, and if so how long you have known each of them.

A. Yes, sir, I know both of them, I been knowing Richard Edwards about forty years and I been knowing Mollie Drew Edwards about 25 years.

Q. About how far did you live from them when they were living together as husband and wife.

A. About three-quarters of a mile.

Q. Please state how well you are acquainted with them.

A. I am well acquainted with both of them and saw both of them real often when they was living together I visited them and they visited me.

Q. Please state whether they are living together now.

A. No, sir, they are not.

Q. Which one left the other and when.

A. She left him sometime in May, 1917, which made three years last May.

Q. Please state whether he gave her any cause to leave him.

A. No, sir, he did not, he treated her good as any husband could and was kind to her and give her what she wanted.

Q. State any conversation you had with her before she left and the circumstances of her leaving.

A. Well, she got a man to haul her furniture away sometime the first part of May, I don't remember the exact day, I had heard her say about two weeks before that that she was going to leave and come up on Sugar Hill where she could do as she wanted to. I had heard that a man named Tom Benton was going to her house and that she was going to his house, and I saw him over at her house several times before

A. Near Windsor, in Isle of Wight County, Virginia, near the N. &
W. Railroad and on the road leading from Windsor to Zuni.

And further this deponent saith not.

Johnny Vines

good as a husband could treat his wife, he furnished her with a house, give her clothes and something to eat and was good to her in every way she did not tell me why she was leaving any more than what I have said already, that she wanted to go up on Sugar Hill where she could do as she pleased, the only reason I could see for her leaving was that a man by the name of Tom Benton was going to see her sometimes when her husband was away and she went over and stayed at his house two or three days at the time during the month before she left her husband. After she left and moved up on Sugar Hill this same man would come up to see her on some business I don't know what but any how he went to her house one or two nights in the week and generally on Sunday.

Q. Would you have known of any cause that he gave her to leave.

A. Yes, sir, I think that I would for I went over their house and seen them real often about three or four times a week.

Q. Where does Mollie Drew Edwards live now.

A. She live on Sugar Hill, near Windsor, in Isle of Wight County, Va.

Q. How long has she lived there.

A. She has lived there ever since she left her husband in May, 1917 and she has lived near Windsor, in Isle of Wight County, Virginia, ever since I have known her for fifteen years.

Q. Do you know the day she moved.

A. I don't remember the exact date but I know that it was in May, 1917, and I saw her having her furniture hauled away.

Q. Did you have any conversation with her after she left.

A. Yes, sir, she told me that she had moved up there so that she could be to herself and do as she pleased and that she was tired of living with Richard Edwards and was not going back to him any more, she told me also that Richard Edwards had been to see her to try to get her to come back but that she was not going back and was not going to live with him any more.

Q. Where were they living at the time they separated.

Joe Henry Vines being duly sworn deposes as follows:

Q. Please state your name, age, residence and occupation.

A. Joe Henry Vines, age 48, I lives on Sugar Hill, near Windsor, in Isle of Wight County, Virginia, occupation farming.

Q. Please state whether you know Richard J. Edwards and Mollie Drew Edwards, and if so, how long you have known each of them.

A. Yes, sir I know both of them, I been knowing Richard Edwards about twenty years and I been knowing Mollie Drew Edwards for about fifteen years.

Q. About how far did you live from them when they were living together as husband and wife near Windsor, in Isle of Wight County, Virginia.

A. I lived about one-half mile from them.

Q. Please state how well you are acquainted with them.

A. Well, I knew them very well used to go to see them right often, and would see them maybe three or four times a week when they were living together.

Q. Please state whether they are living together now.

A. No, sir, they are not.

Q. Which one left the other and when.

A. She left him, now I don't exactly remember the day but it was in May, 1917, three years ago last May.

Q. Have they lived together as husband and wife since that time.

A. No, sir.

Q. Please state the circumstances of her leaving and whether she had any cause to leave.

A. Well she told me shortly before she left that she was going to leave him and I asked her for what she said that she was tired of staying there with him that she was going to move up on Sugar Hill where she could do as she pleased.

Q. What cause, if any did Richard J. Edwards give his wife, Mollie Drew Edwards to leave and why did she leave.

A. He did not give her any cause to leave at all, he treated her as

The depositions of Joe Henry Vines, Barney Hall and Richard J. Edwards were taken before me, William S. Holland, a Notary Public, in and for the City of Suffolk, State of Virginia, on the 17th day of November, 1920, between the hours of 10 A. M. and 5 P. M. of that day, pursuant to due notice to defendant served in person as shown by annexed notice, according to law, to be read as evidence on behalf of the plaintiff in a certain suit in equity pending in the circuit court of Isle of Wight County, State of Virginia, wherein Richard J. Edwards is the complainant and Mollie Drew Edwards is defendant.

PRESENT:

Hugh L. Holland, counsel for plaintiff.

The defendant did not appear either in person or by counsel.

RICHARD J. EDWARDS....
COMPLAINANT

vs. DECREE

MOLLIE DREW EDWARDS....
DEFENDANT.

1970
Dec. 2.
Enter this.
B.D.W.

Copy to H.L.H.

Chancery order Book 8
Page 30.
HUGH L. HOLLAND
ATTORNEY AT LAW
SUFFOLK, VIRGINIA

RECORDED AS 10-60

RICHARD J. EDWARDS.....COMPLAINANT

vs.....DECREE

MOLLIE DREW EDWARDS.....DEFENDANT.

in which the ~~defendant~~ has been duly served with process,
This cause, ^{came} on this day to be heard on the File
of Complaint, and the depositions of witnesses, taken after due
and legal notice to the defendant, ~~as required by law~~, and the
defendant, ^{still} ~~who appears to have been proceeded against in the man-~~
~~ner prescribed by law~~, failing to plead, answer, or demur and
was argued by counsel.

On consideration whereof, it appearing to the Court,
from the evidence taken and submitted in this cause, that the
said defendant, Mollie Drew Edwards, since her marriage with
the plaintiff, has deserted him for a period of more than three
(statis for since May 1917)
years, that the defendant is a resident of the County of Isle
of Wight, State of Virginia, and has been domiciled in the State
of Virginia, for more than twelve months next preceding the com-
mencement of this suit, and that the plaintiff and defendant
last cohabited in the County of Isle of Wight, Virginia, the
Court doth adjudge, order, and decree that the said plaintiff
be, and he is hereby granted a divorce a vinculo matrimonii,
from the said defendant, and that the marriage heretofore sol-
emnized be, and the same is hereby ^{disolved} ~~annulled and set aside~~, and
it appearing that nothing further remains to be done in this
cause, it is ordered to be stricken from the docket.

RICHARD J. EDWARDS...

COMPLAINANT

VS. MEMORANDUM *Cy. No 352*

MOLLIE DREW EDWARDS....

DEFENDANT.

Filed September 1-1920

RICHARD J. EDWARDS.....COMPLAINANT.

vs. MEMORANDUM

MOLLIE DREW EDWARDS.....DEFENDANT.

IN THE CIRCUIT COURT OF ISLE OF WIGHT COUNTY, VIRGINIA:

To A. S. Johnson, Clerk of said Court:

Please summon defendant for complainant to ^{Second}~~First~~

September (1920), Rules, in chancery.

Hugh J. Holland,
p. q.

County (or City)

.....*Husband,*

and { **Marriage License**

.....*Wife,*

Date of Issue

Marriage Register No......*Page*.....



MARRIAGE LICENSE



Virginia, County of Isle of Wight to-wit:

To Any Person Licensed to Celebrate Marriages:

You are hereby authorized to join together in the Holy State of Matrimony, according to the rites and ceremonies of your Church or religious denomination, and the laws of the Commonwealth of Virginia,

Richard J. Edwards

and Mollie Drew

Given under my hand, as Clerk of Circuit

Court of Isle of Wight County (or City) this

11 day of December 1915

"EXHIBIT-"A"

A. S. Johnson

Clerk.

MARRIAGE CERTIFICATE

To be annexed to the license, required by Section 2229 of the Code of Virginia, as amended by Act of February 16, 1910.

VIRGINIA: In the Clerk's Office of the Circuit Court for the County (or City) of Isle of Wight,

Date of Marriage Dec. 16, 1915 Place of Marriage Juni, Isle of Wight, Co.

FULL NAMES OF PARTIES.

Richard Joseph Edwards

and Mollie Drew

Age of Husband 47 years; Condition (single, widowed or divorced) widow

Age of Wife 50 years; Condition (single, widowed or divorced) widow

Race (White or Colored) Colored

Husband's Place of Birth Isle of Wight Co. Va. Residence Isle of Wight Co. Va.

Wife's Place of Birth Sussex Co. Va. Residence Isle of Wight, Co. Va.

Names of { Husband Louis Edwards and Maria Edwards

Parents { Wife Mary Woodin, and mother not known

Occupation of Husband Farmer

Given under my hand this 11 day of December 1915

A. S. Johnson

Clerk.

Certificate of Time and Place of Marriage

I, J. P. Hicks, a minister of the Gospel

Church, or religious order of that name, do certify that on the 16 day of December 1915

at Juni, Virginia, under authority of the above License, I joined together in the Holy State of Matrimony the persons named and described therein. I qualified and gave bond according to law authorizing me to celebrate the rites of

marriage in the County (or City) of Isle of Wight, State of Virginia.

Given under my hand, this 16 day of December 1915

A copy. J. P. Hicks

J. P. Hicks

(Person who performs ceremony sign here.)

The Minister or other person celebrating a marriage is required, within thirty (30) days thereafter, to return the license and certificate of the Clerk and his certificate of the time and place at which the marriage was celebrated to the Clerk who issued the license; failure to comply with these requirements of the law makes the Minister or other person celebrating the marriage liable to a fine of not less than ten nor more than twenty dollars for each offense (see Section 2229 of the Code of Virginia, as amended by Act approved February 16, 1910, Acts 1910, chapter 28, pages 36 and 37).